

OFFICIAL MINUTES
MEETING OF THE STATE BOARD OF EDUCATION
BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO
TRUSTEES OF IDAHO STATE UNIVERSITY
TRUSTEES OF LEWIS-CLARK STATE COLLEGE
TRUSTEES OF BOISE STATE UNIVERSITY
STATE BOARD FOR PROFESSIONAL TECHNICAL EDUCATION
TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND

September 23 - 24, 1999
Idaho State University - SUB
Pocatello, Idaho

Call To Order

The meeting notice was posted and distributed in compliance with Idaho Open Meeting Law requirements. With a quorum present, the meeting was lawfully convened at 8:00 a.m., on September 23, 1999, with Mr. Jerry Hess, Vice President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Jerry Hess, Vice President
Tom Boyd, Secretary
Thomas E. Dillon
Curtis H. Eaton
James C. Hammond
Marilyn Howard, State Superintendent of Public Instruction
Karen A. McGee

Members Absent

Harold W. Davis, President

All exhibits, appendices and items referenced in these minutes are on file as permanent exhibits with the Office of the State Board of Education.

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Compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of September, 1999.

<u>Thomas Dillon</u>	<u>Days</u>	<u>Curtis H. Eaton</u>	<u>Days</u>
09/12,14,18,20,21,22	4.5	09/20	1.0
<u>Jerry Hess</u>	<u>Days</u>	<u>Tom Boyd</u>	<u>Days</u>
09/20,21,22	3.0	09/20,21,22	3.0
<u>Harold W. Davis</u>	<u>Days</u>	<u>Karen McGee</u>	<u>Days</u>
09/07	1.0	09/07,20,21,22	4.0
<u>James Hammond</u>	<u>Days</u>		
09/20,21,22	3.0		

Non-compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of September, 1999.

<u>Curtis H. Eaton</u>	<u>Days</u>	<u>Marilyn Howard</u>	<u>Days</u>
09/21,22	2.0	09/20,21,22	3.0
<u>Harold W. Davis</u>	<u>Days</u>		
09/20,21,22	0.0		

Among the persons meeting with the State Board of Education/Board of Regents of the University of Idaho were:

Office of the State Board of Education

Gregory G. Fitch, Executive Director
Robin A. Dodson, Chief Academic Officer
Kevin Satterlee, Chief Legal Officer
Keith Hasselquist, Chief Fiscal Officer
Jerry Engstrom, Management Information Officer
Mike Killworth, Policy and Planning Officer
Lydia Guerra, State Exiting Standards Coordinator
Laurie Boston, Public Information Officer
Nancy Szofran, Learning Technology Officer
Patty Toney, What Matter Most Coordinator

State Department of Education

Robert West, Chief Deputy Superintendent
Don Robertson, Chief Legal Officer
Allison Westfall, Public Information Officer

Idaho Public Television

Peter Morrill, General Manager

Idaho School for the Deaf and the Blind

Ron Darcy, Superintendent

Division of Vocational Education

Mike Rush, Administrator
Kirk Dennis, Chief Fiscal Officer

Division of Vocational Rehabilitation

Floyd Young, Administrator

Richard Sloneker, Chief Fiscal Officer

Boise State University

Charles Ruch, President

Daryl Jones, Provost

Harry Neel, Financial Vice President & Bursar

Brent Winiger, Budget Officer

Eastern Idaho Technical College

Miles LaRowe, President

Luke Robbins, Dean of Instruction

Robert Smart, Finance Officer

Idaho State University

Richard L. Bowen, President

Jonathan Lawson, Academic Vice President

Ken Prolo, Interim Financial Vice President

Lewis-Clark State College

James W. Hottois, President

Rita Rice Morris, Provost/Vice President for Academic Affairs

Dean A. Froehlich, Financial Vice President

University of Idaho

Robert A. Hoover, President

Brian L. Pitcher, Provost, Academic Affairs

Jerry Wallace, Financial Vice President

College of Southern Idaho

Gerald Meyerhoeffler, President,

Gerald Beck, Vice President of Instruction

J. Mike Mason, Dean of Finance

North Idaho College

Michael Burke, President

Jerry Gee, Dean of Instruction

Rolly Jurgens, Dean of Administration

Idaho State Historical Society

Steve Guerber

Others

Larry Andrews

Ed Harris

Bob Fontaine

Christine Donnell

Linda Clark

Ronald Bolinger

Kay Jones

BOARDWORK

1. Agenda Approval

It was moved by Mr. Hammond, seconded by Dr. Dillon and carried (6-0) to approve the agenda for the September 23-24, 1999 meeting with the following change: (Motion #1)

- 1) Items F & G of the SDOE agenda to be addressed first.

2. Rolling Calendar

It was moved by Ms. McGee, seconded by Mr. Hammond and carried (6-0) to approve September 21-22, 2000 as the dates and Idaho State University as the location for the September, 2000 regularly scheduled meeting. (Motion #2)

Boardwork materials on file as Exhibit #1 with the Office of the State Board of Education.

PERSONNEL/STUDENT AFFAIRS COMMITTEE

1. Minutes of the September, 1999 Meeting

The minutes were approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (7-0) to approve the Personnel/Student Affairs Committee Routine agenda items. (Motion #28)

Mr. Eaton said there are some differences in how FTE increases are reported on the agenda. A common reporting format will be determined.

3. Non-Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (7-0) to approve the Personnel/Student Affairs Non-routine agenda items for Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho except as listed below: (Motion #31)

Boise State University

2.8 - Athletic Contract for Gene Bleymeier

Mr. Eaton advised that several items will be appended to the contract in the form of a management letter.

It was moved by Mr. Eaton and carried (7-0) to approve the July 1, 1999 four-year athletic contract for Mr. Gene Bleymeier. (Motion #29)

University of Idaho

2.9 - Faculty-Staff Handbook Changes

It was moved by Mr. Eaton and carried (7-0) to approve the request for changes in the University of Idaho Faculty-Staff Handbook. (Motion #30)

Other

Mr. Hess asked if the individuals at the University of Idaho who are receiving pay increases due to their work with the Bechtel Transition Team would go back to their regular salaries when those duties are completed. Mr. Eaton said the intent is for them to go back to their regular salaries. Dr. Brian Pitcher said the salary adjustments are temporary and when the employees' work on the transition ends, they will go back to their regular institution salary with any possible cost-of-living adjustments. Dr. Pitcher said the pay increases will be paid through contract funds by Bechtel.

Dr. Dillon was concerned about outside employment, paid by grants, not coming to the Board. He felt the fact that the funds are non-appropriated needs to be made clear.

4. Committee Forum

Mr. Eaton reported:

- 1) Mr. Ron Darcy asked the Board to send letters to the Transportation Department and the Gooding City Council in support of reducing the speed limit in front of the Idaho School for the Deaf and the Blind. Dr. Greg Fitch and Mr. Kevin Satterlee were asked to prepare a letter for Mr. Davis' signature.
- 2) Ms. Ann Stephens gave a presentation to the committee on the status of the Division of Professional-Technical Education programs.
- 3) Mr. Pat Young advised the Idaho Division of Vocational Rehabilitation was given permission to begin a pilot project which would give disabled individuals assistance in obtaining state jobs, i.e. the IDVR would do the assessment and placement. He also advised that the date for the Inservice Training Award has been set for October 27 and invited Board members to attend.
- 4) Mr. Eaton introduced Student Body Presidents to the Board. Mr. Nathan Peterson (LCSC) thanked the Board for its interest and advice. He said the student governments' will hold their first annual Idaho Students for Education Week, October 25-29, and asked Board members to participate. The purpose of the week is to focus attention on and increase awareness about issues facing higher education. They will also hold a rally on the capital steps in Boise on October 29 to celebrate student participants.
- 5) There was a discussion item in the committee on how to present issues that are of importance to the presidents. The committee will work on how it should be done.

Personnel/Student Affairs Committee agenda on file as Exhibit #10 with the Office of the State Board of Education.

ACADEMIC AFFAIRS/PROGRAM COMMITTEE

1. Minutes of the June 17, 1999 CAAP Meeting

Approved in committee.

2. Minutes of the June 16, 1999 CAAP Meeting

Approved in committee.

3. New Programs: Full Proposals

a. Ph.D., Geophysics - Boise State University

It was moved by Dr. Howard, seconded by Dr. Dillon and carried (7-0) to approve the new Ph.D. program in Geophysics at Boise State University. (Motion #15)

b. B.A., B.B.A., B.S., Networking and Telecommunications - Boise State University

It was moved by Dr. Howard, seconded by Ms. McGee and carried (7-0) to approve the new Baccalaureate Degree programs in Networking and Telecommunications at Boise State University. (Motion #16)

c. B.S., Horticulture - University of Idaho

This program was eliminated in 1993, but it has been found there is now a need for it; therefore, a request has been made for its reinstatement.

It was moved by Dr. Howard and carried (7-0) to approve the reinstatement of the B.S., Pl. Sc. in Horticulture at the University of Idaho. (Motion #17)

4. James E. Rogers Mass Communication Program

Idaho State University asked to name its Mass communication program the "James E. Rogers Mass Communication Program." This is in honor and recognition of Mr. Rogers, chairman of the Board of Sunbelt Communication, for his active support and generous donations in the area of mass communication education at Idaho State University.

It was moved by Dr. Howard and carried (7-0) to approve the request to name Idaho State

University's Mass Communication program the James E. Rogers Mass Communication Program.
(Motion #18)

5. Placement Scores for English Composition

The English Chairs established common course numbers for English composition as well as some standard cut-off scores for entry into composition courses. Their recommendations were submitted to the CAAP, which made some changes. The final recommendation from CAAP is shown in the exhibit.

It was moved by Dr. Howard and carried (7-0) to approve the placement scores and course numbers for the English composition sequences as exhibited. (Motion #19)

6. SEEAC Appointments

The following individuals have been nominated and expressed a willingness to be appointed or reappointed to the Statewide Engineering Education Advisory Council to serve September 1999-September 2002:

Ms. Karen McGee, SBOE
Dean Davis Thompson, UI College of Engineering
Dean Lynn Russell, BSU College of Engineering
Dean Jay Kunze, ISU College of Engineering
Dr. Victor Kriss, LCSC (also representing community colleges)
Dr. Joe Karniewicz, Micron Technology (also representing BSU Eng. Adv. Board)
Mr. John Stedman, Hewlett-Packard
Mr. Philip Wheatley, P.E., INEEL (also representing ISU Coll. of Eng Adv Board)

To serve September 1999-2000:

Mr. Jim Reppell, ISPE (filling Mr. Les Walker's term)

It was moved by Dr. Howard and carried (7-0) to approve the nine individuals for terms of appointment listed above to serve on the Statewide Engineering Education Advisory Council. (Motion #20)

7. Board of Nursing Rule Change

The SBOE's Deputy Attorney General and Chief Academic Officer have reviewed the

proposed changes and met with the Executive Director of the State Board of Nursing. As a result of the review and the meeting, Board staff recommended approval of the rules.

Mr. Hess asked Dr. Dodson if Ricks College was included in the discussions. Dr. Dodson responded that they were included.

It was moved by Dr. Howard and carried (7-0) to approve the proposed rules of the State Board of Nursing as exhibited. (Motion #21)

8. Professional Program Review Update

As a result of Board discussion, the Presidents' Council (PC) assigned specific areas of study to each institution to prepare a preliminary report of the programs currently offered in the assigned professional area and to formulate a strategic plan. The PC and CAAP have been working in partnership and will present a report in October.

9. Idaho-Utah Medical Agreement

The SBOE-UUSM agreement expired August 30, 1999. During negotiations for a new four-year agreement, significant points were raised about the possible elimination of the \$3,134 surcharge, an increase in the state support fee, increased Idaho participation in the admission process and clerkships for Idaho residents. At the August 17 Budget Hearing, the Board instructed the Chief Academic Officer to negotiate a reasonable increase in support of fees and to forward those recommendations back to the Board. The budget enhancement is now \$53,100 instead of \$159,300 to reflect a three-year phase-in of the increased support fee and elimination of the surcharge. The item is included in the Finance Committee's agenda, Item 5.

10. Program Articulation Update

The CAAP continues to monitor the development of program articulation. To date, significant progress has been noted on all of the campuses primarily in nursing, respiratory therapy and business and marketing. Discussions are also underway in the fields of drafting, computer science and electronics. Dr. Dodson said a report is being prepared and will be brought to the Board. He said they may need to look at changing *Idaho Code* to give the Executive Director more flexibility in the approval process.

Mr. Hess asked if anything was being done about out-of-state Internet offerings, i.e. how do they fit into the approval process. Dr. Dodson responded that by law, all programs being delivered in Idaho must be registered with the SBOE; however, in reality there is no way to police them.

Mr. Hess felt that while they could not be policed, it should be a discussion item. Dr. Dillon agreed and said the subcommittee addressing the issues has made recommendations to the legislature. He felt it should be placed on the AA/PC agenda for additional discussion.

11. Capacity Definition

The Board's Chief Academic Officer surveyed State Higher Education Executive Officers in an attempt to determine if other states have been successful in defining capacity. Currently, those states that have gone through the process of examining capacity have found the efforts to be expensive and have focused mainly in physical environments such as classroom, libraries, laboratories, etc.

The CAAP has explored various definitions for "capacity" and to date has not come to agreement on a definition that captures the intent of the Board. The CAAP is continuing their efforts to arrive at a definition.

12. School Nursing Issues

Interested parties have expressed concern about prescription drugs in the K-12 schools, i.e. who is charged with dispensing those drugs and storage issues. Due to current inclusion opportunities, greater numbers of students are taking prescription drugs and the concern for the safety of children has resulted in renewed efforts to address these issues. The OSBE, SDOE and the State Board of Nursing have discussed options for resolving the issue.

It is believed that the first step in addressing the issue is to develop a user-friendly handbook for school district consideration. The second step will be to gather specific data on the perceived problems in each school district. Additionally, input will be sought from other shareholders such as the IASA, the ISBA and parent teacher associations.

Dr. Dodson said the Center for Health Policy at Boise State University will conduct a survey to determine the extent of the problem. When the survey has been completed, options will be brought to the SBOE.

13. Idaho Virtual University Consortium

In the Spring of 1999 the Presidents' Council took the lead in pursuing a virtual university concept in Idaho, which the SBOE endorsed. Development, planning and implementation has been

assigned to the AA/PC and the CAAP.

The CAAP is in the process of developing and defining its vision for the consortium. A copy of the vision statement and action plan will be sent to the PC and the AA/PC in October.

Mr. Hess felt that if there is good vision, this could be one of the most significant acts done for education in the state of Idaho. He suggested the university consortium should contact private sector developers, i.e. the research and development people, and integrate them into the project.

Mr. Hammond asked if there has been a review of why the Western Governors' University has not been a success. Dr. Dodson said that has been done and that there were several reasons it has not worked the way it was envisioned. Some of the reasons were cost and up front planning.

14. Transition from H.S. to Post-Secondary Institutions Admissions

Dr. Howard said the committee had a discussion regarding the exiting standards and the transition from high school into post-secondary institutions. It was suggested to the committee that a research advisory team be established to assist the commissioners and the institutions discuss the implications. The committee asked Dr. Dodson to meet with the provosts and academic officers to begin the process.

Dr. Dillon asked that it be understood that exiting standards, as proposed, will not be geared to the universities for an entrance requirement.

Academic Affairs/Program Affairs Committee agenda on file as Exhibit #8 with the Office of the State Board of Education.

FINANCE COMMITTEE

1. Minutes of the September, 1998 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Hess and carried (7-0) to approve the Finance Committee Routine agenda items for Boise State University, Idaho State University, Lewis-Clark State College, the University of Idaho, the Idaho School for the Deaf and the Blind and the Division of Professional-Technical Education. (Motion #22)

3. Non-Routine Institution/Agency Agenda Items

University of Idaho

3.1 - Palouse Empire Mall Ground Lease

It was moved by Mr. Hess and carried (7-0) to approve the request from the University of Idaho to execute a ground lease covering land commonly known as the Palouse Empire Mall with National Realty Finance L.C. of Kansas City, Missouri, if the current ground lease with Palouse Empire Mall Associates is ever terminated or canceled due to a default which cannot, by its nature, be cured by National Realty Finance L.C. (Motion #23)

4. Intercollegiate Athletics

Mr. Eaton will work with the Presidents' Council and bring a report in October.

5. FY2001 Budget Request Follow-up

Items carried over from the August Budget Hearing were:

- 1) University of Utah Medial Education Program - Revised from \$159,300 to \$53,200 to reflect a three-year phase-in of eliminating the student surcharge and increasing support to the UU program.
- 2) Student/Teacher Success - To be integrated with the Reading Initiative and What Matters Most program.
- 3) Small Business Development Center - Request was for an engineer to begin the

- TechHelp program in Pocatello. The \$80,000 request was not revised.
- 4) State Historical Society - The initial request exceeded Board guidelines, it was revised and resubmitted. Also, Mr. Guerber submitted the requested plans to the Board.
 - 5) Boise State University - Request that Campus Infrastructure in the amount of \$1,000,000 be added as a second capital project.
 - 6) Idaho State University - Request to add the campus classroom capital project to the Board's list.
 - 7) Idaho State University - Request for the Board to reconsider the Family Practice Residency request and provide equal treatment to the Boise and ISU program.
 - 8) IPTV - Tower, \$300,000
ISU - Classroom, \$100,000
BSU - Infrastructure, \$1,000,000
NIC - Nursing and Life Science, \$100,000

It was moved by Mr. Hess and carried (7-0) to approve items 1, 2, 3, 4, 5, 6 and 8 as requested. (Motion #24)

It was moved by Ms. McGee, seconded by Mr. Hammond and carried (7-0) to approve the request to provide equal treatment to the Boise program and the ISU program in Family Residency. (Motion #25)

6. First Reading: Enrollment Workload Adjustment-Emphasis Factors

GOVERNING POLICY and PROCEDURES

SECTION: V

SUBSECTION: T.2.b (4)

It was moved by Mr. Hess and carried (7-0) to approve for First Reading the change in the Governing Policy and Procedures Manual related to Enrollment Workload Adjustment-Emphasis Factors as presented in the exhibit. (Motion #26)

7. First Reading: Enrollment Workload Adjustment Calculation

GOVERNING POLICY and PROCEDURES

SECTION: V

SUBSECTION: T.2.b (3)

Deferred for further study.

8. Y2K Report

A report will be given in October.

Finance Committee agenda on file as Exhibit #9 with the Office of the State Board of Education.

LEGISLATIVE AFFAIRS COMMITTEE

1. November 10, 1999 Videoconference

It was agreed that the November 10 videoconference will focus on exiting standards. Mr. Hess felt the agenda should also include a format for legislative “hot buttons” so legislators can provide feedback to the Board on issues of interest such as the Board’s Statewide Strategic Plan. The committee will work on a schedule for Board review.

Dr. Howard suggested the Governor’s committees on School Facilities and School Safety be added to the list of topics the Board should be prepared to discuss.

Ms. McGee asked if Board members should contact their local area legislators and ask for topics. Mr. Boyd thought that would be a good idea and asked Board members to contact Mr. Mike Killworth at the OSBE with their topics.

2. Community College Funding

Mr. Boyd said Representative Don Pischner will probably bring forth a bill to change the way community colleges are funded. He asked Board members to be thinking about how that might impact governance.

3. Scholarships

Mr. Boyd said scholarship legislation will probably be submitted again this year. Mr. Killworth said Representative Ken Robison has a proposal that he is working on for presentation during this year’s session. Rep. Robison will bring the bill to the Legislative Affairs Committee for its review.

4. Tobacco Funds

Mr. Boyd said the money has been delayed and there has not been a determination on where it will be spent. Mr. Eaton suggested the Board develop a strategy to ask for the money. Mr. Boyd felt that was a good idea and said they would prepare a plan.

5. Interim Legislative Committee

The committee was established to study teacher evaluation procedures. It will have draft legislation available in October. A copy will be provided to the Board.

Dr. Dillon asked if What Matters Most (WMM) had been included in the discussions. Mr. Killworth said nothing has been officially presented to WMM because the committee is still having meetings and has not adopted anything concrete. Dr. Dillon thought there should be Board discussion prior to the November 10 videoconference so it can be determined whether or not to support the legislation.

6. University of Idaho

The University of Idaho submitted a request to exempt records relating to donors or potential donors to a public institution of higher education or its related foundations from the Public Records Act. The Division of Financial Management asked that it be modified to only exempt individual donor records.

Mr. Boyd asked Dr. Brian Pitcher to address the Board and give the rationale behind the request. Dr. Pitcher said the request was a joint request of all of the institutions in that donors have concerns about their donation records being open to public access.

Mr. Eaton thought the request might be as a result of the concerns of anonymous donors, who don't want to be besieged with requests for contributions from other organizations. Dr. Pitcher said that was one of several reasons.

Dr. Richard Bowen said ISU agreed to help with the project because of the concerns of anonymous donors.

Mr. Boyd asked if federal law addressed the topic. Mr. Hammond said federal mainly dealt with federal taxes, which are not public records. Dr. Fitch said organizations with 501(c) status are governed by federal guidelines which allow anonymity for donors.

Mr. Kevin Satterlee said another aspect was that sometimes institution presidents would like to discuss what a donation will be used for with the Board. As the law is now, that discussion cannot take place during an Executive Session, but must take place in an Open Session.

7. Displaced HomeMakers Act

The legislation will broaden the criteria for determining those eligible for services.

8. Idaho State Historical Society

The legislation is designed to protect building sites, etc.

Legislative Affairs Committee agenda on file as Exhibit #11 with the Office of the State Board of Education.

70 PERCENT COMMITTEE

1. Presentation

Ms. Ann Stephens presented the Idaho Professional-Technical Education 1999 Special Recognition award to Dr. Carole McWilliam for her contributions to professional-technical education in Idaho.

2. Report by Dr. Dillon:

A. Workforce Development Council Update

Mr. Roger Madsen, Director of Department of Labor, and Judy Rowberry, Division of Financial Management, presented an historical overview, mission and goals of the council to the 70 Percent Committee.

The committee will look at ways to track students who are not successfully employed in technology areas to try to determine the cause.

B. Minority Education Report

The Hispanic Task Force and the Indian Education Committee met to identify their priorities for presentation to the 70 Percent Committee.

Mr. Hector DeLeon reported to the committee that the Caldwell SD directed \$100,000 in existing resources to five elementary schools to focus on raising the test scores of children who are having difficulty with the ITBS. The effort was successful and the test scores were raised from the 12th percentile to the 24th percentile in one year.

The Hispanic Task Force will create two subcommittees:

- 1) One will update the 1990-91 recommendations of the Hispanic Task Force.
- 2) The other will disseminate information to Hispanic parents on issues such as exiting standards and reading initiatives.

Dr. Dillon reported that most of the recommendations of the 1990-91 report have happened through the 70 Percent Committee.

Mr. DeLeon reported to the committee that he has taken a position with the Idaho Commission

of Hispanic Affairs. The Idaho Education Task Force have asked him to continue on and chair the Task Force.

Mr. Bob Sobbota reported to the committee on behalf of Indian education. He said they have met with the Hispanic Task Force and found ways to work together.

Dr. Dillon said Donna McCarthy, an Indian Education Committee member and a parent, from Blackfoot thanked the committee and the State Board for taking the time to address the concerns of the tribes.

It was reported to the committee since 1959 only 99 Sho-Ban members have received a B.A./B.S. degree, 22 have obtained Masters and 3 have earned Doctorates. Even though the numbers are much higher than some northwest tribes, the tribe must find a way to do better. There are currently 52 freshmen at the new Sho-Ban High School. The challenge is how to retain those students and train teachers to keep them motivated.

Mr. Jesus DeLeon has asked for an update on the committee's Minority Recruitment and Retention Report for higher education. An update will be presented to the committee at the November meeting.

C. Career Information Systems

Mr. Charles Mollerup gave a presentation to the committee on the program, its activities and demonstrated new program software. They are piloting a project to place on the Internet and have developed Career Track—a program designed to help students in grades 4-6 become aware of career options.

D. Decision Units for Targeting Minority Success

Mr. DeLeon reported the decision unit targeting minority success, that was approved at the August budget hearing, is working with the SDOE. The funding request will be brought through the Finance Committee report.

E. Displaced Homemakers Act

The committee had a lengthy discussion on whether to amend the definition of "displaced homemaker" in order to meet federal definitions. Ms. Stephens said they would be working closely with the Legislative Affairs Committee and will bring a recommendation back in November.

F. Corrections Education Subcommittee

Ms. Sara Adams gave a report to the committee that said that while it does not work with every inmate, the only thing that influences the recidivism rate is education. While the inmate population is rising, the percentage of budget allocated to education is being reduced.

The subcommittee will work to bring back recommendations on how educating people in correction facilities is addressed. Mr. Roy Mosman will bring the report in November.

Dr. Dillon said the committee has invited the Department of Labor to have representation on the subcommittee and Mr. Madsen has indicated a desire to be involved.

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70 Percent Committee agenda on file as Exhibit #6 with the Office of the State Board of Education.

OTHER

1. Exiting Standards Hearing

On September 22, 1999, at 6:30 p.m. in the Salmon River Suite of the ISU SUB, a hearing was held regarding the Exiting Standards rule.

2. APA RuleMaking - Final Reading

The First Reading was presented and accepted at the March 18-19, 1999 SBOE meeting. There were no negative comments or suggested changes.

The hearing for the Final Reading commenced at 8:10 a.m. There was no testimony and the hearing was closed at 8:15 a.m.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0) to approve the proposed IDAPA 55 Administrative Rules of the Division of Professional-Technical Education as written and promulgate as a temporary and pending new rule. (Motion #3)

Exhibit #2

3. Breckenridge Charter School Appeal

The petitioners and the school district have agreed that since the Board's November meeting is scheduled to be in Lewiston, they are willing to waive their statutory right to have the appeal heard at the next regularly scheduled Board meeting in favor of holding the hearing in November in Lewiston.

It was moved by Mr. Hammond, seconded by Dr. Dillon and carried (7-0) to approve the Stipulation of the parties setting the hearing for the November regularly scheduled Board meeting. (Motion #4)

Exhibit #3

4. What Matters Most

Dr. Patty Toney gave a presentation on the mission, structure and activities of the committee. She introduced the new logo and advised the name would be changed to "Idaho's Most."

Mr. Eaton said there has been some division between academic and professional-technical subjects. He felt teaching techniques should be incorporated, as well as some of the learning that has traditionally been isolated and segregated and on the technical side, into the academic side so there is a combination of things going on to take advantage of learning styles, abilities, etc. Dr. Toney responded that learning styles and the use of technology to assist students in learning are part of the standards, and that another component is the importance of real-world learning and that it is being incorporated and integrated; that it's not going to be purely academic.

Mr. Hess felt it was important to understand that this is as high a profile issue as exiting standards. Dr. Dillon agreed and felt it should go in hand with exiting standards.

Dr. Dillon felt there needed to be a system to reward the many quality teachers and asked if there is anything in the program to do so. Dr. Toney said there was a professional development component of the plan which would address the issue. Dr. Dillon asked Dr. Toney to make recommendations to the Board on what should be done. Mr. Hess said it has been on every What Matters Most agenda and the committee is addressing it.

5. Strategic Plan

Mr. Mike Killworth reviewed the plan and suggestions made by Board members, institution representatives and others. He felt what was needed was confirmation from the Board that the document is what they intend.

Mr. Killworth said he would bring the plan back in October for formal acceptance and asked that any additional input be given to him. Mr. Hess said he had input and would get it to Mr. Killworth.

Mr. Eaton suggested the plan be formally approved by the legislature. He felt the next step would be to ask the legislature, the Governor and other stakeholders to review and respond to the plan. Mr. Hess agreed and suggested the final draft be sent to the Senate and House Education committees for feedback. Mr. Killworth said the plan would be sent to the committee chairs before it is submitted to the Board for final approval. Mr. Hammond asked that the plan also be submitted to the Idaho School Boards Association for input.

Exhibit #5

6. Athletic Budgets

Mr. Hess identified three criteria he would like to see addressed:

- 1) Full disclosure. If it's some type of institutional support, what is it? Is it uniform across all institutions? Are we defining institutional support the same?
- 2) Give incentives to those who participate in the sports program to pay for it. The booster clubs, the athletics programs through camps and whatever non-institutional funds are generated. The end policy should be to give incentives to the institutions to go after those funds.
- 3) Quantify the amount of state appropriated funds that go to the institutions.

Mr. Hess asked each president to comment and Mr. Eaton to lead the discussion after the comments.

Dr. James Hottois said he understood and shared the frustrations expressed by Mr. Eaton in his September 21, 1999 letter. He said he had the following concerns:

- 1) The proposal in some ways puts a straightjacket on LCSC because of historical decisions that might have been made differently had they known about the creation of the outlined limits.
- 2) Title IX and gender equity accommodations within the contest of the proposal.

Dr. Charles Ruch responded:

- 1) This is a very complex set of challenges.
- 2) The four institutions are different, which makes setting absolute numbers and standards very difficult.
- 3) The funding categories have different sources and criteria for their use.
- 4) The primary difference between Mr. Eaton's document and that of the Presidents' Council is the presidential flexibility (with Board approval) to manage the activity.

Dr. Richard Bowen commented:

- 1) Football in the west will probably be reconstructing itself, which may lead to increased costs. He asked that they not be straightjacketed as they do not know what will happen.
- 2) The Board has given approval of a gender equity plan which allows for student fee increases and other allocations.

Dr. Brian Pitcher commented:

- 1) There are difficult financial challenges with respect to college athletics.
- 2) Athletics programs are planned within the institution's strategic plan.
- 3) Although there is support for guidance and limitations, the presidents need flexibility in order to meet future challenges such as emergencies and special needs.

Dr. Dillon said the Board was not trying to control the growth of athletic programs as there may be issues such as gender equity that would necessitate it. What the Board is trying to control is the spiraling and escalating costs of athletic programs. Also, he said he did not want to get into the area of determining which athletic conference a school should join.

Dr. Dillon felt if an athletic program was running in a deficit and one of the sources of funds is the boosters; then the boosters should be approached and asked for additional funds. He also felt that if a deficit is carried over the course of years, the president should come to the Board and advise of the circumstances and what has been done to address it.

Mr. Hess cautioned the Board to be very careful about any proposal to move to another conference, particularly moving upward, i.e. costs, Title IX and other consequences. He felt that prior to changing to another conference, there should be a cost assessment which shows long-term, down-stream costs.

Mr. Hammond said he agreed with Mr. Eaton's concern regarding funds which should be going to education being transferred to balance athletic budgets. He felt it was a genuine and appropriate concern that needed to be better managed. He also felt the Board should not lead the presidents down the path, but tell them the direction it wants them to go and require accountability.

Mr. Eaton was concerned that in no other area is a president allowed to incur deficits and felt that asking that they be made up by the use of non-academic funds was a reasonable request.

Mr. Eaton said a proposal would be put together and brought to the Board for a vote at the October meeting. Mr. Hess asked that there be a format which shows full disclosure so the public can have an understanding of the costs of athletic programs. Mr. Eaton said the proposal would include the following:

- 1) Description and definition of the accounts.
- 2) Institutional reallocation of student fees for athletics.
- 3) Gender equity.

- 4) Boosters and donations.
- 5) Fund balance.
- 6) Program funds.

Mr. Hess asked that some type of matching funding plan be included. Dr. Dillon asked that the changing of athletic conferences be addressed.

Exhibit #7

7. Executive Session

It was moved by Dr. Dillon and seconded by Mr. Hammond to enter into Executive Session pursuant to Section 67-2345 (b, d & f), *Idaho Code*. **A roll call vote was taken. The motion carried.** (Motion #13)

AYES: Mr. Eaton, Dr. Howard, Mr. Hess, Mr. Boyd, Ms. McGee, Dr. Dillon, Mr. Hammond

NAYS: None

ABSTAIN: None

ABSENT: Mr. Davis

The Board discussed pending litigation and Supreme Court rulings. It also discussed personnel issues.

It was moved by Mr. Hammond, seconded by Mr. Boyd and carried (7-0) to enter into Open Session. (Motion #14)

8. Good of the Order

1. Mr. Hess, at the request of Mr. Davis, advised the Board that he has directed the General Manager of Idaho Public Television to provide an overview of the station's policies and procedures for review, selections, and broadcast of programs. This overview should contain a fiscal analysis which incorporates private and public funding and a cost-benefit distribution.

Mr. Hess said the discussion centered around a Board policy that addresses actions that cause a loss of credibility, which he alleges has been the case. Mr. Hess said Mr. Davis wanted the Board to review the policies that contributed to the loss of credibility.

Exhibit #12

2. Ms. McGee advised she would be attending the EPSCoR annual meeting and would bring a report to the Board.
3. JFAC Presentation - to be placed on the October agenda.
4. Mr. Eaton will attend the NASBE conference and will bring a report to the Board.
5. AGB conference will be in March, 2000.

Exhibit Materials on file with the Office of the State Board of Education.

STATE DEPARTMENT OF EDUCATION

A. Technology Competency Update Report

Dr. Robert West and Ms. Nancy Szofran presented the annual report on certificated personnel demonstrating mastery of the required basic technology standards. To date approximately 4,717 (29 percent) of personnel have been certificated.

Dr. West said there are approximately 1,000 additional personnel that have passed the test, but because of the way Boise State University has been billing, the number appears lower. BSU charges a \$5 fee to take the test with another \$25 to get the certificate. The numbers reported by BSU are only those that have paid the \$5 fee. Upon passing the test, a letter is issued indicating the employee has passed the test, and as the letter is being used to indicate proficiency, many do not feel they need to pay the additional money to get the certificate. Dr. Fitch advised that BSU is reviewing their billing procedures to address the problem.

B. Appointments to the Idaho State Curriculum Materials Selection Committee

The SDOE recommended the appointment of Dr. Gwen Taylor (new five-year term) to represent Lewis-Clark State College, Sandra K. Cantrell (new five-year term) to represent a public school board trustee and Deniece Allred (to complete a term that expires December 31, 2002) to act as a parent representative.

It was moved by Mr. Hammond, seconded by Dr. Dillon and carried (7-0) to approve the request by the Bureau of Curriculum/Accountability for replacement of members of the Curricular Materials Selection Committee as submitted. (Motion #7)

C. Standardized Test Waiver Process

In June 1999 the SBOE approved a motion to consider requests brought by the SDOE from school districts to waive the annual Iowa Test of Basic Skills testing requirements for grades 4, 6, 8 and 10 on an annual basis, provided the school districts include information describing local procedures to monitor student achievement. Dr. Bob Fontaine reviewed the proposed waiver process and timelines.

Dr. Dillon felt it should be clarified that the districts could not obtain waivers from the exiting standards tests. He also felt that districts requesting waivers should be aware and indicate in writing that they may be giving up benchmarks that work towards exiting standards.

Mr. Hess was concerned that there could be so many waiver requests that it would be difficult

for the staff to determine whether all of them are equal to or better than the current tests.

Mr. Hammond felt the proposal was specific on which tests could be waived. He also felt the Board should be open to requests from districts that have worked to develop a procedure that they feel fits the local district.

It was moved by Mr. Eaton, seconded by Dr. Dillon and carried (7-0) to approve the annual standardized testing waiver process to be used for the ITBS and the TAP tests for grades 4, 6, 8 and 10, knowing that it is a request for a waiver of a specific rule about these particular tests, not exiting standards. (Motion #8)

Dr. Dillon suggested the SDOE consider, at some point, putting together some type of a waiver process for the 25 core hours requirement, if they are folded in their curriculum to meet exiting standards.

D. Preliminary Testing Waiver Requests

The Meridian and the American Falls school districts requested waivers of the requirement to administer the Iowa Tests of Basic Skills (ITBS) and Tests of Achievement and Proficiency (TAP).

Meridian School District

Ms. Christine H. Donnell and Dr. Linda Clark of the Meridian SD requested a waiver of the requirement to administer the ITBS at grades 3 and 7 and the TAP at grade 11.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0) to grant the Meridian School District's waiver request as presented. (Motion #9)

American Falls School District

Dr. Ronald Bolinger and Mrs. Kay Jones of the American Falls SD requested a one-year waiver of the requirement to administer the ITBS tests at grades 4, 6 and 8 and the TAP test at grade 10 during the 1999-2000 academic year.

Dr. Dillon said he felt the curriculum of the Meridian School District was aligned with the five core areas of the exiting standards. He asked Dr. Bolinger of the American Falls SD if they were aligning their curriculum in the five core areas. Dr. Bolinger said their school district has only has math, reading and language arts, but they are working towards science and social studies.

Mr. Hammond felt that as both districts had indicated that the ITBS is unwieldy, the Board should consider looking at the test to see if it should be a state test. Dr. West said the ITBS does what it is paid to do, i.e. it ranks and sorts students on a continuum that is normalized at each grade level but it doesn't tell what students know and are able to do, which is why it is so unwieldily.

Mr. Eaton said a representative from the company that distributes the tests had said at a Board meeting several months ago that Idaho was the only state that gives the test in grades 3-11 and that giving it that frequently was a luxury. He agreed with Mr. Hammond and felt the test and testing frequency should be reviewed

Mr. Hess cautioned that unless there is a review, the Board could spend a day just hearing requests for waivers. Mr. Eaton felt it could be a SDOE led process, but that other people should be included in the review.

It was moved by Mr. Hammond, seconded by Dr. Dillon and carried (7-0) to approve the request of American Falls for the testing waiver as presented. (Motion #10)

E. Pending Special Education Rules

On June 17, 1999 the SBOE adopted temporary special education rules, which are now in effect. It also adopted proposed rules, which were published in the Administrative Bulletin on August 4, 1999. The SDOE asked the SBOE to adopt the rules as pending rules.

Dr. West said the rules were necessary in order to comply with changes in the Americans With Disabilities Act rules. Public hearings were held. He said the Professional Standards Commission had concerns regarding how the certification process deals with Consultant Specialists, i.e. districts could hire Consultant Specialists, who may not be fully certified, instead of a Letter of Authorization. He said adopting the rule would change the process of adopting the various forms of approval to each in public schools. He felt the PSC needed to address how certification issues are dealt with rather than the roll itself; therefore, the SDOE recommended its approval.

Mr. Hess said that was an issue with What Matters Most (WMM). He was concerned that the number of teachers teaching out of their discipline might be large and if the Board intends to elevate standards, the process needs, and is, being reviewed by the WMM Committee.

It was moved by Dr. Dillon, seconded by Ms. McGee and carried (7-0) to approve the request for adoption of special education rules as pending rules as presented. (Motion #11)

F. Exiting Standards Test Funding

Dr. Dillon said the legislature gave the responsibility for developing exiting standards to the State Board of Education. To develop the standards, the SBOE gathered a group of diverse individuals from throughout the state to draft the standards in the five subject areas, which were approved by the Board. The next step will be the assessment phase, which will require approximately \$1.1M to implement.

Mr. Larry Andrews gave a presentation to the Board on the mission and history of exiting standards. He then reviewed what is needed to complete the project. The proposed budget will fund the following:

- A. Development of a test question data bank in the five subject areas.
- B. Conduction of a pilot test in the 11th grade.
- C. Bring a consultant to the SDOE to assist with the process.

Mr. Andrews said the standards will be the minimum standards and that local districts can and should adopt their own standards. Additionally, it is recommended that intermediate standards be developed to assist students before they reach the 11th grade and to provide the opportunity to educate teachers.

A Request for Proposal (RFP) for test questions will be written in the next year. When it comes back, a contract will be awarded with a due date of January 2001. It is anticipated the first test will be administered in April 2001 with the results available in July 2001. Additionally, assistance from an assessment consultant will be needed to help monitor the proposal process, coordinate the first pilot test activities, coordinate with the SDOE and recommend changes.

The next step will be a review by parents and teachers to determine how the test will be scored, what will constitute a passing grade, security issues and procedures to ensure that students from around the state will be treated equally.

Mr. Andrews said they were requesting the following funding:

- 1. \$950,000 to develop the questions and for the first pilot test.
- 2. \$120,000 for involvement of teachers and patrons.
- 3. \$80,000 for a full-time consultant.

Mr. Andrews said the commissioners felt it would take an additional \$500,000 per year to

continue testing, i.e. prepare questions and administer the tests.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried to approve the request by the Exiting Standards Board Sub-Committee for \$1.5 million to develop a Statewide test in five subject core areas of Mathematics, Science, Social Studies, Language Arts/Communication and Health as submitted. (Motion #5)

Mr. Hess clarified that the understanding was that tests and assessments are the same thing.

Mr. Hess suggested that prior to the JFAC hearings, the Finance Committee and the Legislative Affairs Committee meet and answer all possible questions relating to the funding request, including the assessment portion. Ms. McGee said the Subcommittee has met with legislators, the Governor's office and with the commissioners to discuss funding issues.

Mr. Eaton suggested the Board dedicate the November 10 teleconference to Exiting Standards and Reading. Ms. McGee agreed and felt many questions and issues could be addressed during the meeting. Dr. Dillon also agreed that the teleconference should be dedicated to exiting standards.

G. First Reading: Exiting Standards, Reading Initiative Consequences

Dr. Howard said the legislature has asked that they move forward with two goals:

1. All third graders would read at grade level by third grade.
2. With exiting standards, determine the basic academic skills and knowledge required for graduating high school seniors.

The Board's Exiting Standards Sub-Committee recommended the following policies for all Idaho school districts during the pilot implementation year for the Reading Initiative.

Each school district must notify parents of children who score "Below Grade Proficiency Level" in either the fall or winter assessments. The notice must include appropriate information about the district's rededication plans including:

- a. Information about participation in the extended time tutorial program. The program may be offered as an extended day, extended year, inter-session or other configuration appropriate for the district;
- b. Notice that the school district may in some instances recommend in-grade retention for a student; and,

- c. Development of a rededication plan individualized for the student who is promoted from third to fourth grade even though he or she may still be considered “Below Grade Proficiency Level” in reading.

The school district must gather data in such a way that it can be disaggregated to examine the progress of students by categories recognized as needing extra funding for success. The categories include limited English proficiency, migrant, Hispanic, Native American and those identified through criteria established by special education and Title I.

School districts having 25 percent or more of their K-3 student population assessed as “Below Grade Proficiency Level” by total average skill points on the Idaho Reading Indicator for any or all such grades will apply to the State Department of Education for technical assistance to develop a plan to improve reading performance in the areas of deficiency.

Dr. Dillon felt there should be a motion to make the recommendations a part of the Boards Governing Policy and Procedures.

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried that the recommendations be carried forward by the Department and appropriate counsel to bring back for First Reading the proposals. (Motion #6)

H. Superintendent’s Reading Report

Reading Initiative

A request was made to approve an individually administered, normed test that would serve the needs of all students, and which would meet the needs of HB 177 and other programs that require the same type of test. The designation of the test as the state approved test for all students will streamline the testing process whenever state-level normed data is needed.

Dr. Howard recommended the SBOE approve a nationally normed test, Woodcock Diagnostic Reading Battery, copyright 1997, to provide an external test with established reliability and validity to measure student progress on Idaho’s reading standards.

It was moved by Dr. Howard, seconded by Mr. Eaton and carried (7-0) to approve the request by the State Department of Education to approve the Woodcock Diagnostic Reading Battery as a test for use with all students. (Motion #12)

I. Superintendent’s Report

Legislative Reading Committee

Dr. Howard reported the SDOE staff will meet with members of the committee and other interested people on October 14 at Boise State University to give them a progress report.

Charter Schools - Federal Grant Money

Dr. Howard reported the SDOE received federal grant money in the amount of \$842,105 for the first year of a three-year grant for charter schools. The purpose of the grant program is to expand the number of high quality charter schools by providing financial assistance for planning, program design and initial implementation of public charter schools. The money can also be used for the evaluation of the effects of charter schools, and the dissemination of information and successful practices in charter schools.

She said the SDOE is in the process of developing a Request For Proposal to go out to all eight Idaho charter schools within the month. The SDOE can hold back only 5 percent of the funds; therefore, \$800,000 will flow directly to the schools. The hold back money will allow the SDOE to increase the amount of technical assistance to charter schools.

Agenda and materials on file as Exhibit #4 with the Office of the State Board of Education.

ADJOURNMENT: September 23, 6:30 p.m.
September 24, 10:45 a.m.

CERTIFICATION:

The minutes are not verbatim. However, to the best of my knowledge, they constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker